19-SE-006084

State of Wisconsin Department of Natural Resources PO Box 7921, Madison WI 53707-7921 dnr.wi.gov

Yes (No If yes, describe:

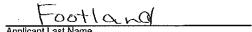
Fish Farm Application For Use of Natural Body of Water

Form 3600-227 (R 3/13)

Page 1 of 2

Notice: Use of this form is required by the Department for any application filed pursuant to ss. 29.733, Wis. Stats., and ss. NR 19.90-95, Wis. Adm. Code. The department will not consider your application unless you provide all information requested and submit the fee(s) indicated for the permit(s) selected. A social security number or federal employer identification number is REQUIRED when applying for a license listed in ss. 29.024(2g) or 29.024 (2r), Wis. Stats. The number SHALL NOT be disclosed to any other person except the Department of Workforce Development or the Department of Revenue to determine liability for delinquent Wisconsin taxes or child or family support. Other personally identifiable information requested on this form will be used for program administration and may be provided to requesters as required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Mail this form with its attachments and required fee to WDNR -Natural Waterbody Permits FH/4, PO Box 7921 Madison, WI 53707-7921. Applicant Information Applicant Name: First Co-Applicant Name: First Last footland Address Address Road Road ጋ ነገስ City ZIP Code ZIP Code City State 53027 5304 Social Security No Leed. Employer ID No Phone Number 262 -Social Security No./ 966-2181 1816-2181 Project Information Business Name (if any) Waterway Name Address Water Source (identify as gallons per minute, gpm) Specify Other Spring|Well Stream City Water Other () City Town Village County Fire Number (if applicable) Is there a discharge to a water of the state? () Yes (No 1/4 1/4 Township 9 Discharge (gpm) f Yes, Indicate: Section Range **Ø**E 33 MOSW Waterway 18 ŌW ☐ Wetland Erin Project Description A "natural body of water" is defined in Wisconsin law as any spring, stream, pond, lake or wetland that was historically present in a natural state but may have been physically altered over time. A "freeze-out pond" is defined in Wisconsin law as a natural, selfcontained body of water in which freezing or anoxic conditions prevent the body of water from naturally sustaining a fish population at least twice every 5 years. Operating a fish farm in a Natural Body of Water requires a permit under NR 19, Wis. Adm. Code. I am applying for: 📈 NR 19 Permit Renewal - for continued use of a natural waterbody that was previously permitted as a preexisting fish rearing facility or a freeze-out pond. Initial NR 19 Permit - for new use of a natural waterbody for fish farming (note, the waterbody must be a freeze-out pond). Transfer of NR 19 Permit - to convey an existing NR 19 permit from one party to another, as a result of change in ownership or leasehold interest of a fish farm. Number and dimension of ponds, raceways or tanks. Describe here and attach a diagram (Attachment # 4) Business Purpose: Activities engaged in. (select all that apply) Distributor Processor, On-Site Public Fee Fishing Hatchery Grower Raising Fish For Stocking Raising Bait For Sale Private, Personal Fishing Raising Fish to Directly Market for Human Consumption Other - Specify: 1. What type of pesticides do you currently use or plan to use? None 2. Is your fish farm equipped with barriers that prevent the passage of fish between it and other water of the state? () Yes No No If you are applying for an NR 19 Permit Renewal, have you made any facility changes - expansion, additional ponds, different species reared, etc. - over the last ten years?



Fish Farm Application For Use of Natural Body of Water

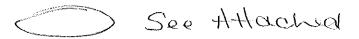
Applicant Last Na	ame			F	orm 3600-2	27 (R 3/13)	•				Page 2 of 2
Species Info	rmation										
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Fish	Eggs	Fry	Fingerling	Yearling	Adult	Fish	Eggs	Fry	Fingerling	Yearling	Adult
Bass Largemouth)				(Bluegill					
Bass Smallmouth						Crappie					
Bullhead					_	Perch					
Muskellunge						Pumpkinseed)				
Northern Pike						Sunfish					
(Walleye)						Tilapia					
Chubs				,		Brook Trout					
Minnows	8.	, · · · · ·	c	j		Brown Trout					
Shiners		-				Lake Trout					
Suckers						Rainbow Trout					
Atlantic Salmon			***************************************			Other (List):					
Chinook Salmon						Suscal					
Coho Salmon					-	distillar schilliberrame Gelerlahr i in Francis, in USSS v. (5) (1) spanjargan e					
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Attachments											
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Leave Blank - DNR Use Only

Date Received

DNR Docket Number

Application Date



Received By

When we initially stocked our pond we put in:

Largemouth Bass Minnows Bluegills Perch Pumpkinseed Catfish

We added 50 Walleye in 2006.

We have aerators in our pond powered by a windmill. During the winter of 2010 our windmill malfunctioned and our pond froze over. We lost at least 30 adult largemouth bass.

Our pond is used only by family members for occasional fishing. We cannot estimate the quantities and sizes of fish that we have.

Attachment # 1 ½ # 13

Drivenay



State Road 83

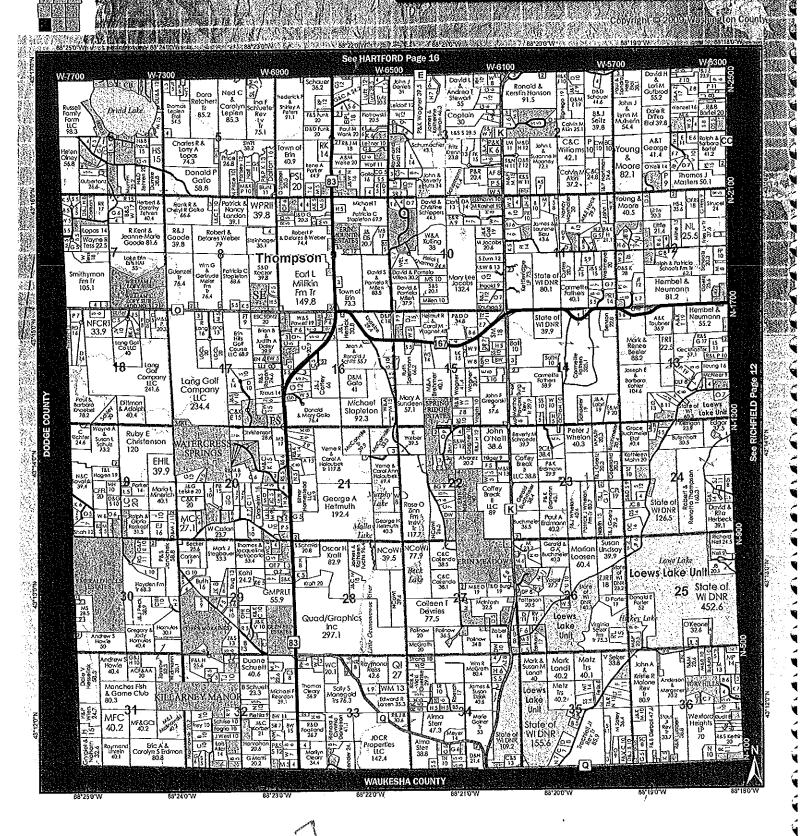
Pond is approx. I acre

Driveway

Fond

1500

County Line Road



R.E. D. Footland

Attachment # 3 Sec 33 1/41/4 NWSW



DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS 1135 U.S. POST OFFICE & CUSTOM HOUSE ST. FAUL, MINNESOTA 55101-1479

MAR 14 1991

Construction-Operations Regulatory (IF91-619-31)

Mr. Ray J. Footland & Ms. Diane L. Tremaine 7153 S. 37th Avenue Franklin, Wisconsin 53132

Dear Mr. Footland & Ms. Tremaine:

It has come to our attention that you have discharged dredged materials into an unnamed isolated wetland in conjunction with the excavation of a pond on your property, located in the SW 1/4, section 33, township 9 north, range 18 east, of Washington County, Wisconsin. The unnamed wetland comes within the Corps of Engineers regulatory jurisdiction pursuant to Section 404 of the Clean Water Act. A review of the information that you submitted, along with an inspection of the site, indicates that less than one acre of the isolated wetland has been used for the disposal of materials excavated during pond construction. Current Department of the Army regulations contain a nationwide permit found at 33 Code of Federal Regulations (CFR) 330.5(a)(26), which authorizes the discharge of dredged materials into isolated wetlands, provided that such a discharge does not cause a significant adverse modification to more than one acre of wetlands.

Since the excavated soils have been discharged over less than one acre of the isolated wetland, the activity completed to date is authorized by the above nationwide permit provided that you follow the enclosed conditions and management practices. However, if completion of the pond would require the placement of the excavated materials over more than one acre of the wetland area remaining around the open water area of the pond, you must notify the Corps of Engineers prior to completing that discharge.

This determination covers only the project referenced above. If the design, location, or purpose of the work is changed, you should contact us to make sure the work would not result in a violation of Federal law. Our telephone number is (612) 220-0375.

It is your responsibility to insure that the work complies with the terms of this letter and the enclosures. IT IS YOUR RESPONSIBILITY TO OBTAIN ALL REQUIRED STATE PERMITS AND APPROVALS BEFORE YOU PROCEED WITH THE PROJECT.

This verification will be valid until the nationwide permit is modified, reissued, or revoked. All the nationwide permits are scheduled to be modified, reissued or revoked prior to 13 January 1992. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice announcing the changes when they occur. Furthermore, if you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have twelve months from the date of the modification or revocation to complete the activity under the present terms and conditions of this nationwide permit.

If you have any questions regarding this matter, please write or call Dale Pfeiffle of our Waukesha, Wisconsin field office at U.S. Army corps of Engineers, 148 Wisconsin Avenue, Suite 214, Waukesha, Wisconsin 53186, (414) 547-6986.

Sincerely,

FarBen Wopat

Chief, Regulatory Branch

Construction-Operations Division

Enclosure(s)

Determination: 330.5(a)(26).

copy furnished:

Mr. Phillip J. Gaudet Washington County Land Use Department P.O. Box 1986 West Bend, Wisconsin 53095-7986 Authorization for the following activity is given at 33 Code of Federal Regulations (CFR):

330.5(a)(26) - DISCHARGES OF DREDGED OR FILL MATERIAL INTO THE WATERS LISTED IN PARAGRAPHS (a)(26)(i) AND (ii) of this section except those that would cause the loss or substantial adverse modification of 10 acres or more of such waters of the United States, including wetlands. For discharges that would cause the loss or substantial adverse modification of 1 to 10 acres of such waters, including wetlands, notification to the district engineer is required in accordance with Section 330.7 of this Section. (Section 404)

- (i) Non-tidal rivers, streams, and their lakes and impoundments, including adjacent wetlands, that are located above the headwaters.
- (ii) Other non-tidal waters of the United States, including adjacent wetlands, that are not part of a surface tributary system to interstate waters or navigable waters of the United States (i.e., isolated waters).

REGIONAL CONDITION. The Regional Condition restricts use of this nationwide permit in specifically-identified waters.

State Permits and/or Approvals Required for Entire Project

Any person intending to discharge any dredged or fill material into any of the waters listed above shall submit an application to the Wisconsin Department of natural Resources (WDNR) before beginning work. The WDNR will notify the Corps of Engineers of this application. Activities are authorized under this nationwide permit when the applicant obtains WDNR authorization.

This nationwide permit also applies to those Department of Transportation (WDOT) projects reviewed by the WDNR according to established liaison procedures, under s. 30.12(4), Wis. Stats., provided WDNR conditions or restrictions are incorporated into the project. For a project to be authorized by this nationwide permit, the Department must submit to the Corps of Engineers a letter from WDNR indicating concurrence with the floodplain management and environmental features of the project.

No State Permits and/or Approvals Required or Required for Only a Portion of the Project

- 1. This nationwide permit authorizes the DISCHARGE OF DREDGED OR FILL MATERIAL IN all non-specifically identified headwaters, isolated waters, and adjacent wetlands for projects that would result in loss or substantial adverse modification of ONE TO TEN ACRES of waters of the United States, including wetlands.
- MATERIAL IN all non-specifically identified headwaters, isolated waters, and adjacent wetlands for projects that would result in loss or substantial adverse modification of LESS THAN AN ACRE of waters of the United States, including wetlands.



Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Effective Date: April 01, 2013 Expires: March 31, 2014

Statute: 95.60

Registration Number: 112699-AQ

Fish Farm Registration

Legal Name:

Ray J Footland, Diane T Footland

Business Location:

270 State Road 83 S Hartford WI 53027

Doing Business As: Ray J & Diane T Footland

Livestock Premises Code(s): 0071A3U

Type 1 Fish Farm

This is your license/permit/certification/registration document. Post or carry as required by law. Non-transferrable - subject to revocation or suspension as provided by law. DMS-BFT-06R (03/19/10) DMS-BIT-06B (03/19/10)

bits-16.qxd (rev.03/12)

RAY J FOOTLAND 270 STATE ROAD 83 S HARTFORD WI 53027



112699-AQ

Wisconsin Department of Agriculture. Trade and Consumer Protection

Fish Farm Registration Type 1 Fish Farm Ray J Footland, Diane T Footland

Registration Number:

Expiration Date: March 31, 2014

270 State Road 83 S Hartford WI 53027

DATCP Contact: (608) 224-4887 Haal a de

STATE BAR OF WISCONSIN FORM 1—1982 WARRANTY DEED

THIS SPACE

HACKTERT

ic County, Wis.	Notary Public
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	Attorney Philip J. Miller
nowledge t	
known to be the person who executed the	(If not,authorized by § 706.06, Wis. Stats.)
	* FILLLY J. MILLER TITLE: MEMBER STATE BAR OF WISCONSIN
, 15 the above named	Jimaj J.
came before me this	authenticated this 15 day of May 19.90 Personally
County. ss.	asch
WISCONSIN)	Signature(s) of Michael R. Niklasch STATE OF
ACKNOWLEDGMENT	AUTHENTICATION
e C. Hays Niklasch	* Jeanne
	(SEAL)
	* * Michael
ael Miklasch (SEAL)	(SEAL) Much
10 0 0 10 0	Dated this 15th day of May
	Ill warrant and defend the same.
ictions and con	property, recorded building and use general taxes levied in the year of
<pre>sanne C. Hays Niklasch sand free and clear of encumbrances except municipal sacaments for public utilities serving</pre>	Niklasch and Jed, indefeasible in fee simple noon recorded to
s thereunto belonging;	th all and singular the hereditaments
	This
beginning.	l line, 938.70 feet to the place
46'37" West,	e, 934.26 feet; thence North
3' East along 8" East along	e of beginning; thence South & 1237.08 feet; thence North 0°
the West line of the 86°58' East, 60.08 feet	<pre>corner; thence South along ' 1/4, 1328.95 feet; thence South</pre>
Commencing	North, Range Eighteen (18) East, Town of Erin Wisconsin, bounded and described as follows:
of the So	of the Northwest One-quarter $(1/4)$ of Section Thirty-three
Tax Parcel No: T. 3.0670	
RAY J. Footland 7153 S. 37th Place Franklin, WI 53132	conveys to Grantee the following described real estate in
1	Witnesseth, That the said Grantor, for a valuable consideration
Grantee	
ds	maine, orship
ife hip	Jeanne C. Hays Niklasch, as husband and wife and joint tenants with right of survivorship
	Dood made between Michael R. Niklasch

..., 19......)